

# **EXHIBIT 1**

## **Proposed Order**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

YUGA LABS, INC.,

Plaintiff and  
Counterclaim Defendant,

v.

RYDER RIPPS and JEREMY CAHEN,

Defendants and  
Counterclaim Plaintiffs.

Case No.: 2:23-cv-00010-APG-NJK

**[USDC, Central District of California  
Civil Case No. 2:22-cv-4355-JFW-JEM]**

**(PROPOSED) ORDER GRANTING  
YUGA LABS, INC.'S MOTION TO  
COMPEL NON-PARTY RYAN  
HICKMAN'S COMPLIANCE WITH  
SUBPOENA AND MOTION TO REDACT  
AND SEAL PORTIONS OF MOTION TO  
COMPEL AND DECLARATION OF  
KIMBERLY CULP IN SUPPORT  
THEREOF**

**[PROPOSED] ORDER**

Before this Court is Yuga Labs, Inc.'s Motion to Compel Non-Party Ryan Hickman's Compliance with Subpoena, Motion to Redact and Seal Portions of its Motion to Compel and Declaration of Kimberly Culp in Support Thereof, and Notice of Non-Opposition to Motion to Compel Non-Party Ryan Hickman's Compliance with Subpoena ("Motions"). Mr. Hickman failed to file oppositions to Yuga Labs' Motions in the time period required by Civil Local Rule 7-2(b) and Federal Rule of Civil Procedure 6(d). Mr. Hickman's failure to respond constitutes a consent to the granting of Yuga Labs' Motions. *See* L.R. 7-2(d). Yuga Labs' Motions are also supported by law and fact.

Accordingly, for good cause showing, the Court GRANTS Yuga Labs' Motions as follows:

1. Within ten (10) days of entry of this Order, Ryan Hickman shall conduct a reasonable search for and produce in their native format to extent such documents exist (or represent under oath and in writing that none exist):
  - a. Discord communications from January 2022 to present related to RR/BAYC NFTs (which includes Ape Market), BAYC NFTs, and/or Yuga Labs, including but not limited to the private channel with Thomas Lehman ("Lehman") and the private channel with Defendant Cahen ("Cahen");
  - b. Email communications from January 2022 to present related to RR/BAYC NFTs (which includes Ape Market), BAYC NFTs, and/or Yuga Labs, including but not limited to emails from Defendant Ripps ("Ripps"), Lehman, and OpenSea;
  - c. Non-public Twitter communications from January 2022 to present related to RR/BAYC NFTs (which includes Ape Market), BAYC NFTs, and/or Yuga Labs, including but not limited to private Twitter direct messages with Cahen, Ripps, Lehman, and third parties;
  - d. Text or SMS communications from January 2022 to present related to RR/BAYC NFTs (which includes Ape Market), BAYC NFTs, and/or Yuga Labs, including but not limited to text messages with Lehman, text messages with Ripps from August 2022, and text messages with Cahen concerning this Litigation;
  - e. Documents concerning RR/BAYC NFTs (which includes Ape Market), BAYC NFTs, and/or Yuga Labs, including but not limited to those stored on Google Drive and any promotional and/or design materials for Ape Market.

- 1           2. Within fifteen (15) days of entry of this Order, Ryan Hickman shall meet and  
2           confer with counsel for Yuga Labs on the date for a second deposition to occur  
3           no later than March 10, 2023 and to last no longer than two (2) hours on the  
4           record;  
5           3. Ryan Hickman shall be sanctioned for failing without adequate excuse to obey  
6           the November Subpoena and ordered to pay Yuga Labs' reasonable attorneys'  
7           fees and costs in connection with the Motion to Compel. Yuga Labs shall  
8           submit its fee request within ten (10) days of entry of this Order.  
9           4. Portions of Yuga Labs' Motion to Compel and Declaration of Kimberly Culp  
10          that quote and/or reference information that has been designated as  
11          "CONFIDENTIAL" under the Protective Order entered on October 11, 2022  
12          (ECF No. 51) shall be redacted and Exhibit P shall be sealed. This  
13          information shall remain sealed until further order of this Court.

14 **IT IS SO ORDERED.**

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16 Dated: \_\_\_\_\_

17 \_\_\_\_\_  
18 The Honorable Andrew P. Gordon  
19 United States District Court Judge  
20 District of Nevada  
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